

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 24, 2005. Claims 1-16 were pending in the Application. In the Office Action, Claims 1-16 were rejected. In order to expedite prosecution of this Application, Applicant amends Claims 7 and 13. Thus, Claims 1-16 remain pending in the Application. Applicant respectfully requests reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1-2, 6, 7, 8, 12-14 and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,658,202 issued to Battaglia et al. (hereinafter “*Battaglia*”). Applicant respectfully traverses this rejection.

Of the rejected claims, Claims 1, 7 and 13 are independent. Applicant respectfully submits that *Battaglia* does not disclose or even suggest each and every limitation of independent Claims 1, 7 and 13. For example, independent Claim 1 recites, at least in part, “a plurality of user interface indicators, wherein each indicator is associated with a respective meta data of a plurality of meta data, and each meta data indicates at least one disposition of a plurality of dispositions” and “wherein at least one picture of the plurality of pictures, via activation of an indicator, is associated with a meta data and thereby at least one disposition” (emphasis added). *Battaglia* appears to disclose a mass storage device configured to receive a memory module (e.g., a flash memory module removed from a digital camera) (*Battaglia*, column 2, lines 21-27, figure 1). *Battaglia* also appears to disclose that the mass storage device contains user interface keys 16 and 18 utilized by a user to initiate a download of information from the memory media to the mass storage device or to reformat the memory module (*Battaglia*, column 2, line 66 to column 3, line 5). For example, *Battaglia* recites:

At least one control key is provided for initiating the download operation. Another user interface key is used to reformat the memory module in accordance with its

requirements for reuse in, for example, a digital camera for taking further photographs.

(*Battaglia*, column 3, lines 1-5). Thus, *Battaglia* does not appear to disclose or even suggest “a plurality of user interface indicators, wherein each indicator is associated with a respective meta data” where the “meta data indicates at least one disposition” for a picture as recited by Claim 1 (emphasis added), nor does the Examiner explicitly identify in *Battaglia* what the Examiner considers to be such “meta data” recited by Claim 1. Applicant respectfully submits that such disclosure is absent in *Battaglia*. Further, *Battaglia* does not appear to disclose or even suggest “associat[ing] . . . meta data” with “at least one picture . . . via activation of an indicator” as recited by Claim 1. To the contrary, Applicant respectfully submits that pushing a button (e.g., buttons 36 or 38 of the *Battaglia* device) to initiate a download of pictures from a memory media is not equivalent to associating meta data with a picture where the meta data indicates the disposition of the picture as generally recited by Claim 1. Accordingly, for at least these reasons, Applicant respectfully submits that *Battaglia* does not anticipate Claim 1, and Applicant respectfully requests that the rejection of Claim 1 be withdrawn.

Independent Claim 7, as amended, recites “means for indicating at least one disposition of a plurality of dispositions, the means for indicating associated with a meta data for indicating the at least one disposition” and “wherein at least one picture of the plurality of pictures, via the means for indicating, is associated with said at least one disposition of the plurality of dispositions by associating the meta data with the at least one picture” (emphasis added), and independent Claim 13, as amended, recites “associating an indication of at least one disposition of a plurality of dispositions with at least one picture of the plurality of pictures, the indication comprising meta data indicating the at least one disposition” (emphasis added). For at least the reasons discussed above in connection with independent Claim 1, Applicant respectfully submits that *Battaglia* does not disclose or even suggest each and every limitations of amended Claims 7 and 13. Accordingly, Applicant respectfully requests that the rejection of Claims 7 and 13 be withdrawn.

Claims 2, 6, 8, 12, 14 and 16 that depend respectively from independent Claims 1, 7 and 13 are also not anticipated by *Battaglia* at least because they incorporate the limitations of respective Claims 1, 7 and 13 and, also, they add additional elements that further distinguish *Battaglia*. Therefore, Applicant respectfully requests that the rejection of Claims 2, 6, 8, 12, 14 and 16 be withdrawn.

SECTION 103 REJECTIONS

Claims 3, 9 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Battaglia* in view of U.S. Patent No. 6,369,908 issued to Frey et al. (hereinafter “*Frey*”). Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Battaglia* in view of U.S. Patent No. 5,539,535 issued to Aizawa et al. (hereinafter “*Aizawa*”). Claims 5 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Battaglia* in view of U.S. Patent No. 6,054,707 issued to Hou (hereinafter “*Hou*”). Applicant respectfully traverses these rejections.

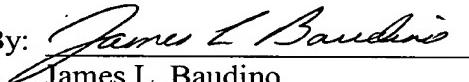
Claims 3-5, 9-11 and 15 depend respectively from independent Claims 1, 7 and 13. For at least the reasons discussed above, independent Claims 1, 7 and 13 are in condition for allowance. Therefore, Claims 3-5, 9-11 and 15 are also in condition for allowance. Further, Applicant respectfully submits that neither Frey, Aizawa or Hou, alone or in combination, remedies the deficiencies of *Battaglia*. Thus, Applicant respectfully requests that the rejection of Claims 3-5, 9-11 and 15 be withdrawn.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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Date: June 24, 2005

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